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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/821,383	
	Filing Date	04/09/2004	
	First Named Inventor	Christopher H. Porter	
	Art Unit	3763	
	Examiner Name	Aamer S. Ahmed	
Total Number of Pages in This Submission	6	Attorney Docket Number	203/505 US; MB-104

ENCLOSURES (Check all that apply)		
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Firm Name	Freilich, Hornbaker & Rosen		
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Date	18 July 2006	Reg. No.	19,281

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Christopher H. Porter

Examiner : Aamer S. Ahmed
Art Unit: 3763

Applic.: 10/821,383

Filed: 04/09/2004

For: PERCUTANEOUSLY IMPLANTABLE
MEDICAL DEVICE CONFIGURED TO
PROMOTE TISSUE INGROWTH

Proposed Amendment After
Final Rejection

Commissioner for Patents
Alexandria, VA 22313-1450

REMARKS

In view of the Office Action dated 05/05/2006, Applicants' undersigned attorney requested a personal interview with Examiner Ahmed. The request was courteously granted and the interview was held on 06/06/2006. As indicated on the Interview Summary form, the discussion primarily involved independent claims 1 and 16 and the cited de Groot reference.

During the interview, Applicants' representative pointed out that claim 1 recited a medical device having both longitudinal and lateral porous layers for promoting tissue ingrowth. As explained in Applicants' specification, this configuration forms an infection resistant barrier, provides effective anchoring, and avoids marsupialization. Applicants claim 16 similarly recites a method of configuring a medical device to provide both longitudinally and laterally projecting porous layers.

In contrast, de Groot describes a percutaneous implant including only a laterally extending mesh sheet which functions to anchor the device. More particularly, the de Groot device is comprised of a subcutaneous part 1 and a percutaneous 10. The subcutaneous part 1 comprises a mesh sheet for promoting tissue ingrowth to anchor a holding member 3 used to mount the percutaneous part 10. De Groot does not suggest providing both longitudinally and laterally extending porous layers to form an infection resistant barrier and inhibit marsupialization.

Submitted herewith for filing is a Claim Listing showing proposed amendments to claims 1 and 16 which were discussed at the interview to clarify that the recited shoulder surface and lateral porous layer are located inwardly from both the stud outer end and the longitudinal porous layer.

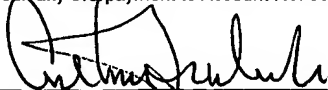
It is accordingly urged that claims 1-9 and 13-21 patentably distinguish the invention over the art of record and are now in condition for allowance.

Respectfully submitted,

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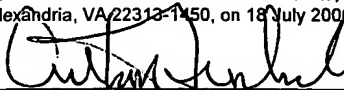
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